

Interview Summary	Application No.	Applicant(s)	
	10/628,063	LAWSON, DOUGLAS K.	
	Examiner	Art Unit	
	Erica E Cadugan	3722	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Erica E Cadugan. (3) _____.
- (2) Larry Coats. (4) _____.

Date of Interview: 21 October 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1, 14, 20 and 25.

Identification of prior art discussed: U.S. Pat. No. 4332066, JP 60-131106, and JP 64-2811.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner faxed applicant the attached proposed examiner's amendment, along with the full copies of U.S. Pat. No. 4332066, JP 60-131106, and JP 64-2811. Applicant indicated that they would rather receive an action at this time.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Attachment to Interview Summary

Technology Center 3700 Facsimile Transmittal

DATE: Larry Coats
TO: 10/21/04 (switch)
FAX: (919) 854-2084 PHONE: (919) 854-1844
SERIAL NO: 10/628063 ATTY. DK#: 4726-012
FROM: ERICA CADVIGAN VOICE MAIL NO. (703) 308-6395 AU: 3722

FAX NUMBERS:

(PLEASE FAX PAPERS TO THE NUMBER INDICATED BELOW)

FORMAL PAPERS

703-305-8578/3580 872-9306

DRAFT PAPERS

703-308-7769 703-308-7768 703-305-9835

NOTES: PLEASE INDICATE WHETHER REPLY IS A FORMAL OR DRAFT AMENDMENT

COMMENTS: proposed Examiner's Amendment
and related references (US Pat 4332066,
JP 60-131106 & JP 64-2811)
-Feel free to contact me if there are
any questions

OF PAGES: 25
(INCLUDING COVER SHEET)

Proposed EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with
*** on ***.

The application has been amended as follows:

Claim 1 (Currently Amended). A deburring [tool] apparatus comprising:

a housing;

a pneumatic motor mounted in the housing and including a back wall and a spindle having [an outer] a front end configured to attach a deburring tool;

a spherical pivot bearing mounted adjacent the back wall of the pneumatic motor for allowing the motor to move relative to the housing;

a connector extending from the back wall of the pneumatic motor and connected to the pivot bearing for permitting the pneumatic motor to move with the pivot bearing; and

a compliance device extending around the pneumatic motor at a location between the back wall and the [outer] front end of the spindle for centering the pneumatic motor but wherein the compliance device is yieldable in response to the deburring [tool] apparatus encountering a disturbing force.

14 (Currently Amended). A deburring [tool] apparatus comprising:

a housing;

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a pneumatic motor mounted in the housing and including a back portion and a front portion configured to attach a deburring tool;

a spherical pivot bearing mounted adjacent and behind the back portion of the pneumatic motor for allowing the motor to move relative to the housing; and

a connector extending between the back portion of the pneumatic motor and the pivot bearing for connecting the pneumatic motor to the pivot bearing such that the pneumatic motor moves relative to the housing with the movement of the pivot bearing.

20 (Currently Amended). A deburring [tool] apparatus comprising:

a housing;

a pneumatic motor mounted in the housing and including a back portion and a front portion configured to attach a deburring tool and wherein the back portion includes a mass greater than the mass of the front portion;

a mounting structure comprising a spherical pivot bearing disposed at least partially within the housing and behind the back portion of the motor for moveably mounting the pneumatic motor such that the motor may move with respect to the housing; and

a compliance device extending around the front portion of the pneumatic motor for restricting the movement of the pneumatic motor and applying a compliance force to the pneumatic motor.

25. A deburring [tool] apparatus comprising:

a housing;

a pneumatic motor mounted in the housing and including a front portion configured to attach a deburring tool and a rear portion;

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a connector extending from the pneumatic motor;

wherein the connector is mounted for pivotable movement via a spherical pivot bearing located behind the rear portion of the pneumatic motor such that the pneumatic motor may move with respect to the housing; and

a compliance device disposed adjacent the front portion of the pneumatic motor for engaging and centering the front portion of the pneumatic motor but wherein the compliance device is yieldable in response to the deburring [tool] apparatus encountering a disturbing force.

If the above proposed amendments to the independent claims is acceptable, Examiner will then perform a detailed analysis of the dependent claims with respect to 35 USC 112, and further minor changes to those claims will likely then be necessary, at the very least in light of the above changes.

Examiner notes that there are many references that were taken into account when drafting the above proposed amendment, but especially JP-60-131106 (see especially Figures 1-2), JP-64-2811 (see especially Figure 5, noting that Examiner consulted a Japanese translator to determine that element number 1 is a motor whose driving source can be either electric or fluid), and U.S. Pat. No. 4,332,066 (see especially Figures 2 and 4).